

Decision Memo

Lostine Public Safety Project

U.S. Forest Service

Eagle Cap Ranger District, Wallowa-Whitman National Forest

Wallowa County, Oregon

BACKGROUND

The Lostine Corridor Public Safety Project is designed to mitigate current and future risk of insect and disease impacts in the project area, which in turn will decrease risks to people, developments, private property, and forest resources.

The Lostine Public Safety Project is located 6.5 miles south of the town of Lostine, Oregon, along an 11 mile road corridor that travels parallel to the Lostine Wild and Scenic River. The Lostine Road provides access to popular developed recreation opportunities, private properties, and an entry point to the Eagle Cap Wilderness. The lands included within the project area lie along either side of the Lostine Road and are entirely outside of the Eagle Cap Wilderness. This area is designed as Management Area 7- Wild and Scenic River in the Wallowa-Whitman National Land and Resource Management Plan, 1990, as amended (Forest Plan).

The Lostine Corridor is a landscape cherished by many local residences and visitors, with outstanding scenic, fisheries, wildlife, and botanical values. There are historic and recreation values, along with private lands with residential developments located within the corridor. The project area is within the wildland urban interface area and is identified as a priority treatment area in the Wallowa County's Community Wildfire Protection Plan (2006). For decades the vegetation within the project area was only lightly managed in an effort to avoid impacts to the corridor outstanding values.

The result of this limited management are forest stands in declining health (figure 1) and an increasing risk from insects and disease (2016, Johnson). The decline in forest health and the effects from insects and disease were first documented in the early 1990s. The 1993 Lostine Wild and Scenic River Environmental Assessment stated, "Overall, the forested stands within the Lostine River drainage are in a poor state of forest health." (pp. 1-4). These conditions pose high risks to the public who use and enjoy the corridor.

Figure 1. Current forested conditions within the project area.



Residents, visitors, and emergency service agencies have shared concerns about the increasing number and frequency of downed hazard trees along roadways and campgrounds as well as the increasingly dense and declining health of forested stands coupled with heavy fuel loads. Many recognize that the values they love in the corridor are at risk of loss, as the forest stands become less resilient, and are asking the Forest Service to address these issues.

PURPOSE & NEED

The purpose and need of this project is to reduce the current and future risk of insect and disease impacts. This in turn will reduce risks to people, developments, private property, and forest resources, including outstanding river values.

PROJECT ACTIVITIES

I have decided to implement the following proposed actions in order to address the purpose and need for the project. These activities will decrease the risk from insect and disease impacts, increase the resiliency of forest stands and reduce the risks to public safety. Activities will occur within 2,110 acres of National Forest System lands in the Lostine Corridor and will involve a variety of thinning, mitigation of hazard trees, removal of hazardous fuels, and creations of small openings. Figure 2 display the vicinity of the Lostine Public Safety Project location. Detailed maps can be found in Appendix B. Table 1 and 2 display a summary of proposed activities in the corridor.

Table 1. Summary of proposed activities for the Lostine Corridor Project.

Activity	Amount
Forest Resiliency Thinning	450 acres
Hazard Tree Mitigation*	Adjacent to road and developed sites
Fuels Reduction*	600 acres
Group Openings (“group select”)	12 acres
Patch Cuts	6 acres
Temporary Road Construction	Approximately 1.5 miles

* Treatments may occur in riparian habitat conservation areas

Figure 2. Vicinity Map of the Lostine Corridor Public Safety Project

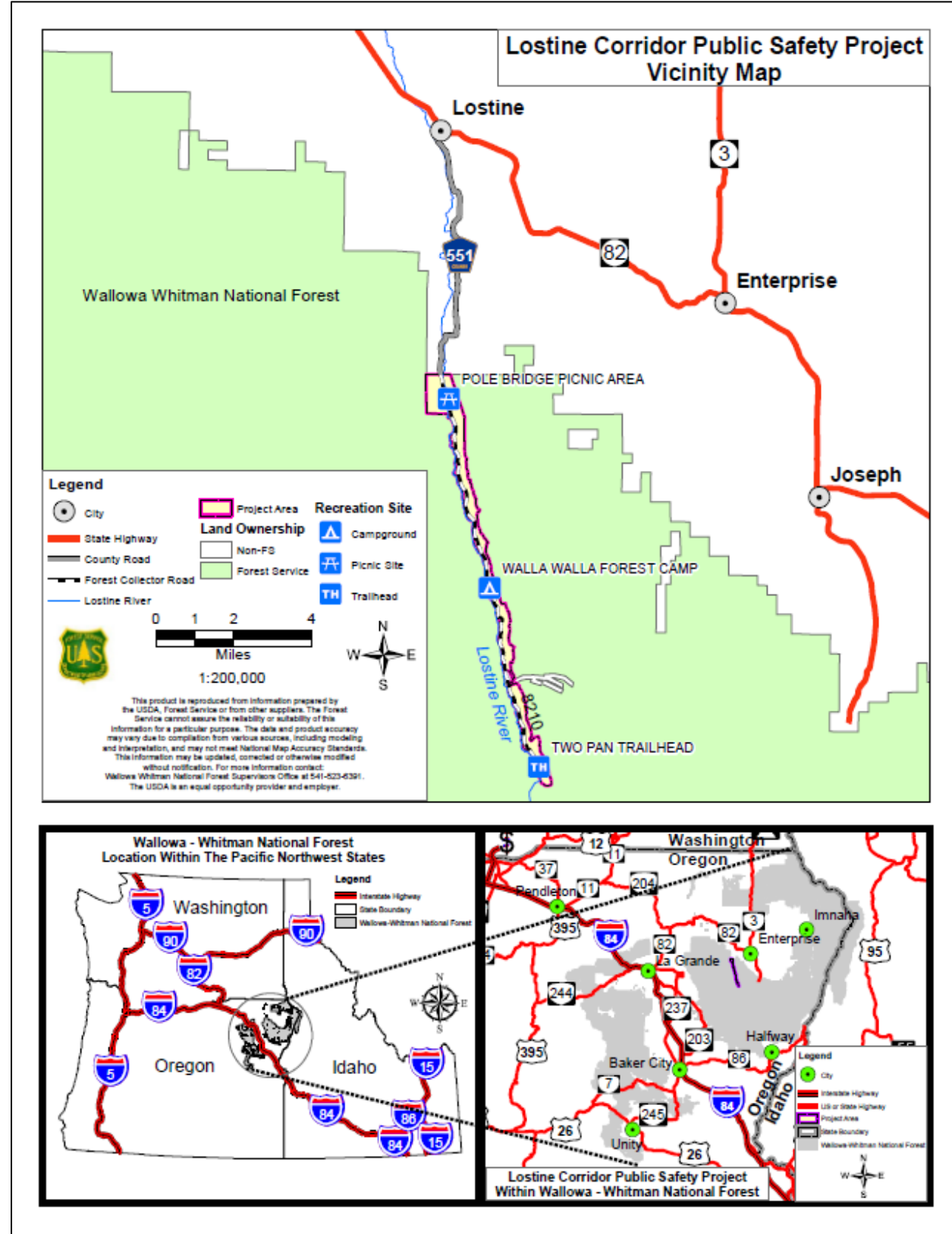


Table 2. Current and Post-treatment basal area by thinning and group select units.

Unit #	Stand Type	Acres	Current Basal Area (ft ²)	Post Treatment Basal Area (ft ²)
2 & 3	Mixed Conifer	12	230	160
4	Mixed Conifer	26	176	140
5 & 6	Mixed Conifer	75	228	150
7	Mixed Conifer	53	218	150
8	Lodgepole	16	117	50
9 & 10	Lodgepole	16	117	50
11	Lodgepole	25	127	50
13 & 14	Mixed Conifer	40	266	160
14	Mixed Conifer	21	266	160
15	Mixed Conifer	20	266	160
17	Mixed Conifer	31	274	160
18	Mixed Conifer	40	296	150
19 & 23	Mixed Conifer	80	274	140

Resiliency Thinning: Thinning of trees with mechanized equipment on approximately 450 acres. This thinning will be primarily from below and of trees less than 21 inches in diameter (dbh). Thinning will decrease risk and increase resiliency by reducing stand densities and increase species diversity with a focus on retaining healthy early seral conifer species, such as western larch or Douglas-fir. Figure 3 shows what the stands may look like post treatment.

Figure 3. Post-thinning condition of a stand on the adjacent Umatilla National Forest which has similar conditions to those that would be thinned in the Lostine Corridor. Residual density is approximately 120ft² of basal area.



Hazard Tree Mitigation: Hazard trees identified by qualified personnel within at least 1½ times the total tree height from a road or developed sites that have been determined to be of likely or imminent failure potential will be felled and either left on site or removed depending on their proximity within Riparian Habitat Conservation Areas (RHCA's). Assessment of danger trees will be done in accordance with Forest Service and interagency protocols¹ on a yearly basis, or as frequently as needed for safe public and employee use of the area.

Figure 4. Hazard trees in a Lostine Campground (Spring 2016).



Fuels Thinning: Hand thinning of small diameter (up to 12" dbh) trees will occur throughout project area, particularly adjacent to private lands and developed sites. These treatments will be excluded from the *no-activity* RHCA zones and within some recreation sites to maintain desired levels of screening between designated campsites. Understory retention will focus first on retaining early seral species such as western larch and ponderosa pine, followed by healthy and vigorous Douglas-fir, Engelmann spruce, and true firs (grand, white and subalpine). Any mountain hemlock and native hardwoods encountered will be reserved.

Slash created from hand thinning accomplished within the limited activity RHCA buffers and on slopes greater than 35 percent will be hand-piled. Slash created from thinning on slopes less than 35 percent may be grappled piled with heavy equipment when soil moistures are low enough to minimize impacts to soil resources; typically less than 25 percent.

Trees within 50 feet of developed sites and private lands will be pruned of ladder fuels up to 20 feet in height, as needed.

Small Group Openings: Six two-acre group openings (group select) will occur in even-aged lodgepole dominated stands to open up the canopy and create variability in stand structure and composition. These openings will be re-planted with fire resistant western larch. Some dead lodgepole will be harvested and decked for public fuelwood utilization.

These lodgepole pine units will be planted with western larch seedlings. This activity addresses the purpose and need by changing the structure and composition of the stands to more resistant

¹ Forest Service Manual, Chapter 2330, Supplement 2300-2011-1; *Publicly Managed Recreation Opportunities, Field Guide for Hazard-Tree Identification and Mitigation on Developed Sites in Oregon and Washington Forests*, USDA Forest Service PNW Region, 2014, and *Field Guide for Danger Tree Identification and Response*, USDA Forest Service PNW Region, and USDI Bureau of Land Management, 2008.

species. Site preparation of the group select units may include windrowing and burning activity fuels.

Patch Cut Treatments: Three two-acre patch cuts are proposed. Two are designed as strategic fuel breaks and one for a permanent helispot. All three are intended to be continuously managed in an open condition. Small trees and brush would occasional be removed on an interval of approximately five to ten years.

1. Strategic fuel breaks would generally connect the Lostine Road to natural upslope fuel breaks. Trees over 21" will be retained in these patch cuts, and when no trees greater than 21" dbh occur, up to five overstory trees per acre will be retained.
2. Turkey Flats patch cut to serve as a helispot for emergency ingress and egress for both wildfire suppression and medevac purposes. Aside from the stock trailer parking lot at the Two Pan Trailhead (which is usually full during the summer months) there are no adequate helispot sites within the project area. All stumps greater than 10" in diameter created from the harvest operation will be ground down and if needed, the area will be replanted with native grass seed. Visually appropriate barriers would be placed around the opening to prevent vehicles from driving into the unit.

Fuelwood: Downed wood that is in excess of ecological needs may be available, by permit, for collection as personal use fuelwood. These areas will be designated where appropriate, taking into consideration sensitive resources.

Temporary Roads: Approximately 1.5 miles of temporary roads, mostly in short spur lengths, will be developed to provide access to resiliency thinning units so that wood material can be processed and decked off of the main Lostine Road. This also addresses mitigation for both scenic quality and recreation. Temporary roads will be decommissioned within three years of the completion of project implementation.

Appendix A: Detailed Proposed Activities and the *Lostine Corridor Public Safety Forest Vegetation and Fuels* write up contains detailed descriptions of the project activities, design criteria, and mitigation tactics.

DECISION RATIONALE

I considered all of the input that was gathered through public involvement, the collaboration processes, best available science, and resource specialist input in my decision for the Lostine Public Safety Project. It is clear that the Lostine Corridor is a highly valued and special landscape.

I considered direction from the Lostine Wild and Scenic River Plan (River Plan and Environmental Assessment, both 1993) and determined the proposed action will apply guidance from the River Plan for using silvicultural treatments, as needed, to protect and enhance the river's Outstanding Remarkable Values (ORVs), public safety, and address impacts from insect and disease (River Plan, pp. 6 and 12). I concluded the proposed action would have long-term

neutral or beneficial effects for the ORVs and directed the interdisciplinary team to develop project design features that mitigated any potential short term affects. This determination is documented in the *Lostine Corridor Public Safety Project Wild and Scenic Section 7(A) Evaluation* (project record).

While the Lostine Corridor is surrounded by the Eagle Cap Wilderness, it was purposefully excluded from wilderness designation because of the private land and a documented history as a developed recreation destination. This section of the Lostine Wild and Scenic River is designated as Recreational² and is managed for public use. As such, the Forest Service is committed to managing the resources in the corridor in support of those values, including mitigating hazards that may impact safe use of the corridor by the public and private landowners.

A quarter of a century ago the Forest Service recognized that poor forest health conditions and insects and disease in the corridor were posing a risk to the ORVs (USDA Lostine Wild and Scenic River Environmental Assessment, 1993). These conditions have continued to decline. It is our responsibility to address these issues of risk to both the public and the resource values in the Lostine River Corridor on National Forest System lands. It would be irresponsible to continue to pass off this important issue to future managers. Based on local interest about both the risks in the corridor and how the proposed actions may affect the ORVs, the Forest Service worked closely with the community to identify issues and concerns, and on defining desired outcomes and design features of the proposed actions.

I recognize that the project activities will not completely prevent insect and disease infestations or probability of wildfire. However, the intent is to reduce the risks and severity of adverse effects from these disturbance events within the corridor.

EXTRAORDINARY CIRCUMSTANCES

A proposed action may be categorically excluded from further analysis and documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) if there are no extraordinary circumstances related to the proposed action and if the project activities are within 36 CFR 220.6 (d), (e) or a category established by statute (Forest Service Handbook 1909.15, Chapter. 30, Section 32.3).

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EIS or an EA. I took into account resource conditions that should be considered in determining whether extraordinary circumstances might exist (Table 3).

The mere presence of one or more of these resource conditions does not preclude use of a CE. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of

² Recreational River designation are those rivers or segments “that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment, nets or diversion in the past (W & S Act 1968).

a proposed action on these resource conditions that determines whether extraordinary circumstances exist. (36 CFR 220.6 (b)(2)).

Table 3. Degree of potential effects of proposed action on extraordinary circumstances³

Extraordinary Circumstance to be Evaluated	Degree of potential effects of Proposed Activities
Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or Forest Service sensitive species	<p>The proposed activity will have no effect to federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, for wildlife or botanical species.</p> <p>The proposed activity may impact individual Region 6 sensitive plants, fish, or wildlife, or their habitat, but will not likely contribute to a trend toward federal listing.</p> <p>The proposed activity, may affect, but is not likely to adversely affect⁴, ESA listed Snake River Steelhead, Spring/Summer Chinook, and Columbia River Bull Trout and their critical habitat.</p>
Floodplains, wetlands, or municipal watersheds	The proposed activity will have low potential effect on floodplains, wetlands, due to design criteria. No municipal watersheds would be effected.
Congressionally designated areas such as wilderness, wilderness study areas or national recreation areas	<p>The project area does not contain any wilderness, wilderness study areas, or national recreation areas.</p> <p>The project area contains a portion of a designated Recreational Wild and Scenic River. In the long term the proposed actions are designed to have a neutral or beneficial effect on the Outstanding Remarkable Values for which this river was designated. Minor, short-term impacts to recreation and scenic quality may occur during project implementation.</p>
Inventoried roadless areas or potential wilderness areas	The proposed activity will not occur within an inventoried roadless area or potential wilderness area.
Research Natural Areas	No Research Natural Areas exist within the project area.
American Indians and Alaska Native religious or cultural sites	The proposed activity will have no adverse effect on American Indian and Alaska Native religious or cultural sites. ⁵
Archaeological sites, or historic properties or areas	The proposed activity will have no adverse effect on Archaeological sites, or historic properties or areas. ⁵

³ 36 CFR 220.6 (b)(2) (i-vii)

⁴ Letter of concurrence for the Blue Mountain Expedited Section 7 Consultation Process, agreeing with the determination of May Affect, but is not Likely to Adversely Affect Snake River Steelhead, Spring/Summer Chinook, and Columbia River Bull Trout and their designated critical habitat, on 12/8/2016, from U.S Fish & Wildlife Services and National Marine Fisheries Service.

⁵ Tribal consultation letters were sent to the Nez Perce Tribal Historic Preservation Officer, the Cultural Resource Protection Manager Confederated Tribes of the Umatilla Indian Reservation, and the Oregon State Archaeologist on 1/27/2017.

PUBLIC INVOLVEMENT AND COLLABORATION

The Forest Service designed and applied a collaborative process that included multiple interested persons representing diverse interests and was transparent and non-exclusive, as required by the Healthy Forest Restoration Act, Section 603(b)(1)(C)(i) and (ii)(I). The collaborative process engaged members of the public who were interested or affected by the risk reduction activities in the Lostine Corridor including; the Nez Perce Tribe, property owners within and adjacent to the corridor, individuals and organizations that are involved in natural resource management, public and emergency service providers, conservation organizations, and local timber industry. For comprehensive lists of people and organizations involved see Appendix C- Interested and Affect Parties, and project record.

The collaborative process facilitated several events where diverse interests could discuss thoughts on tradeoffs for each of the risk reduction activities and learn from each other about differing perspectives and values regarding the Lostine Corridor. The Forest Service was able to apply this information to project design and adjusted the proposed actions throughout these engagements.

Figure 5. Photo of field trip participants, June 2016.



Engagements were often in person, either on or off-site of the project. These dialogs gathered input on design ideas and mitigation measures. They also facilitated an understanding of how people currently, and in the past, used and valued the corridor. Issues and concerns about current and future forest conditions were discussed. For full listing of dates and types of contacts please see *Lostine Public Safety Project Collaboration Process* and *Public Contact* documents in the project record.

The Forest Service also gathered input on the project from a wider group of individuals and organizations through scoping letters, press releases, and on-line postings of maps and project information. This action was originally listed as a proposal on the Wallowa-Whitman National Forest Schedule of Proposed Actions February 1, 2016 and updated periodically during the analysis. A 30-day public scoping period was initiated on February 2, 2016 in the Wallowa Chieftain.

The Wallowa County Natural Resource Advisory Committee (NRAC) helped disseminate information about the project. They sent invitations for multiple meetings and field trip information to the broader community in Wallowa County. NRAC also assisted in hosting several of the events.

Comments received that were in support of the project centered around:

- Public and fire fighter safety and risk
- Concerns about insect and disease and declining forest health
- Active forest management in the corridor is long over due
- Opportunities for small business and rural employment
- Urgency of treatments

Comments received that were not supportive of the project centered around:

- Urge more intensive treatments, including within RHCAs
- Limit treatment in RHCAs
- Need to conduct an Environmental Assessment or Environmental Impact Statement
- Concerns about the level of collaboration conducted by the Forest Service
- Use of public safety and hazard trees as a guise for logging

Clarifications were requested on items including fuelwood opportunities, how the project would be consistent with the Lostine River Corridor Management Plan, and information about implementation. A frequently asked question guide was developed and sent to all interested parties (project record).

Prior to completing the planning process, the Forest Service re-engaged with members of the public in an effort to connect with people who had not participate earlier in the project. Forest Service staff and Line Officers spent time visiting with people in person, by phone, and in writing to clarify project activities and address any questions or concerns. The information and contacts were of great value. However, the majority of comments received were similar to remarks collected earlier in the process and had been incorporated into the project design or considered and acknowledged. Based on this, the Forest Service determined there was not a need to conduct additional public involvement.

For a complete list of comments and responses see *Response to Comment* document within the project record.

APPLICABLE CATEGORICAL EXCLUSION

Section 8204 of the Agriculture Act of 2014 (Public Law 113-79) (also referred to as Farm Bill) amended Title VI of the Healthy Forests Restoration Act of 2003 (HFRA) (16 U.S.C. 6591 et seq.) to add Sections 602 and 603 to address qualifying insect and disease infestations on NFS lands. The Secretary of the U.S. Department of Agriculture delegated authority to implement the provisions of the Farm Bill to the Chief of the Forest Service on March 6, 2014.

The project area was included in Governor Kitzhaber's February 28, 2014 letter to the Secretary of Agriculture, Secretary Vilsack, requesting designation of landscape areas on National Forests in Oregon to address insects or disease related threats. The request to design Governor Kitzhaber's designation of lands was affirmed on May 20, 2014.

Section 603 established a categorical exclusion for qualifying insect and disease projects in designated areas on National Forest System lands. An insect and disease project that may be categorically excluded under this authority is a project that is designed to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the areas (HFRA, Sections 602(d) and 603(a)).

This categorical exclusion may be used to carry out a collaborative restoration project in an insect and disease treatment area designated by the Chief under section 602.

The actions proposed for this project are categorically excluded from documentation in an EIS or an EA. The decision is within the scope of the insect and disease infestation category because:

- ✓ The project is within an insect and disease area designated under the authority of §603(b)⁶.
- ✓ The project reduces the risk and extent of, and increases the resiliency to insect or disease infestation in the area.
- ✓ The project was developed through a collaborative process that included multiple interested person representing diverse interests and was transparent and nonexclusive.
- ✓ The project maximizes the retention of old-growth and large trees and promotes the stands that are resilient to insects and disease.
- ✓ The project consider the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity. Proposed actions are intended to restore structure and function of treated stands following guidance in David C. Powell's USDA Forest Service, Pacific Northwest Region Implementation Guide, "Suggest Stocking Levels for Forest Stands in Northeastern Oregon and Southeastern Washington. (F14-SO-TP-03-99) and Restoration of Dry Forests in Eastern Oregon (2013).
- ✓ The project area is less than 3000 acres (approximately 2,110 acres).
- ✓ The project is identified as a wildland-urban interface area in the Wallowa County Community Wildfire Protection Plan (March 24th 2006).
- ✓ The project will not establish any new permanent roads. Temporary roads would be decommissioned no later than 3 years after the date of project completion.
- ✓ The project area is not a component of the National Wilderness Preservation System
- ✓ The project area does not contain Federal lands of which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited.
- ✓ The project area does not contain any congressionally designed wilderness study areas.
- ✓ The project activities are consistence with the applicable designed management area (Forest Plan)

For more detailed information about how the Lostine Corridor Public Safety Projects adheres to the HFRA, Sections 602(d) and 603(d) please see *Farm Bill Category Exclusion Checklist* within the project record.

⁶https://www.fs.fed.us/farmbill/documents/DesignationMaps/Healthy_Forest_Restoration_Act_Designations_Oregon_May122014.pdf

FINDINGS RELATED TO OTHER LAWS AND REGULATIONS

Wallowa-Whitman National Forest Land Management Plan: This decision is consistent with the Wallowa-Whitman National Forest Land Management Plan, as amendment. No Forest Plan amendment will be required. The Forest Plan complies with all resource integration and management requirements of 36 CFR 219. The project was designed to be consistent with the Forest Plan Management Area 7- Wild and Scenic designation, the Lostine Wild and Scenic River Plan, and the Eastside Screens amendment. For more details see resource input in the project record.

National Environmental Policy Act: This project was prepared consistent with the requirements of the National Environmental Policy Act, its implementing regulations (40 CFR 1500), and the Forest Service NEPA regulations (36 CFR 220).

Endangered Species Act: This project complies with the Endangered Species Act. A biological evaluation was completed for threatened, endangered, or proposed fish species. A letter of concurrence for the Blue Mountain Expedited Section 7 Consultation Process, agreeing with the determination of May Affect, but is not Likely to Adversely Affect Snake River Steelhead, Spring/Summer Chinook, and Columbia River Bull Trout and their designated critical habitat was received on December 12, 2016, from U.S Fish & Wildlife Services and National Marine Fisheries Service.

National Historic Preservation Act: This project will have no adverse effects on properties listed or eligible for listing on the National Register of Historic Places. Tribal consultation letters were sent to the Nez Perce Tribal Historic Preservation Officer, the Cultural Resource Protection Manager Confederated Tribes of the Umatilla Indian Reservation, and the Oregon State Archaeologist on January 27, 2017.

Executive Order 12898 – Environmental Justice – Implementation of this project is anticipated to benefit human health or environmental effect to minority or low-income populations in Wallowa County. Rural communities in eastern Oregon, such as Wallowa County, are underserved populations. The Lostine Project, while small, can contribute important inputs into the local economy, including forest products, low-cost fuelwood, and opportunities for contract work for forest products and restoration businesses.

ADMINISTRATIVE REVIEW OPPORTUNITIES

Decisions that are categorically excluded from documentation in an EIS are not subject to an administrative review process (pre-decisional objection process) (Agriculture Act of 2014, Subtitle A, Sec. 8006).

IMPLEMENTATION DATE

The project is expected to be implemented beginning in the spring of 2017 with hazard tree and hazardous fuel mitigation work. Additional work would likely begin in the fall of 2017.

CONTACT

For additional information concerning this decision, contact:

Kris Stein, District Ranger, Eagle Cap Ranger District, PO 905, Joseph, OR 97846, 541-426-5689.




Kris Stein

District Ranger

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Figure 6. Hazard tree over the Lostine Road (fall 2016).

